



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 25, 1996

Ms. Cathy Cunningham
Senior Assistant City Attorney
City of Irving
P.O. Box 152288
Irving, Texas 75060

OR96-1009

Dear Ms. Cunningham:

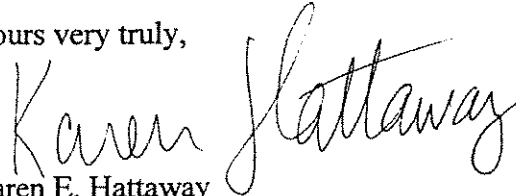
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 40172.

On behalf of the City of Irving (the "city"), you sought an open records decision from this office pursuant to section 552.305 of the Government Code as to whether certain records pertaining to the Las Colinas Symphony Orchestra (the "orchestra") are excepted from required public disclosure. Consequently, this office notified representatives of the orchestra that we received your request for an open records decision regarding its financial records. In our letter to the orchestra, this office requested an explanation as to why the requested information should be withheld from public disclosure, with the caveat that its failure to provide such an explanation within a reasonable time would result in this office instructing the city to disclose the information.

More than a month has elapsed since this office issued the notice, but the orchestra has failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. *See* Open Records Decision No. 552 (1990). Because neither you nor representatives of the orchestra have contended to this office that the requested information should be withheld, the city should release the information at this time.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script that reads "Karen Hattaway". The signature is written in black ink and is positioned above the printed name.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/RWP/rho

Ref.: ID# 40172

Enclosures: Submitted documents

cc: Las Colinas Symphony Orchestra
1300 West Walnut Hill, #55G
Irving, Texas 75068
(w/o enclosures)

Ms. Heather McCarney
7414 East Grand
Dallas, Texas 75214
(w/o enclosures)